IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl.Misc. No.79060-M of 2006

Date of Decision: 30.1.2007.

Sukhmander Singh

....Petitioner.

Versus

State of Punjab and others.

...Respondents.

CORAM : Hon'ble Mr. Justice Surya Kant.

Present:- Mrs.Promila Nain,Advocate
for the petitioner.

Mr.B.S.Baath,AAG Punjab.

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SURYA KANT, J.(ORAL)

The prayer in this petition is for quashing of FIR No.112 dated 29.3.2006, under sections 406,420 of Indian Penal Code, registered at PS Jagraon, District Ludhiana.

The aforesaid relief has been sought on the basis of a compromise arrived at between the parties.

The petitioner is the complainant who alleged that respondents No.2 to 4 had duped him to the tune of Rs.5 lacs on the pretext of sending his son to abroad. The said complaint led to registration of the impugned FIR against respondents No.2 to 4 and son of respondent No.2 Manjit Singh. Unfortunately, Manjit Singh is reported to have died in Manila.

As the parties are closely related to each other, it is averred by the complainant himself that with the intervention of friends and

respectables, a compromise has been arrived at between him (the complainant) and the accused persons (i.e. respondents No.2 to 4). According to petitioner-complainant, he has received a sum of Rs.2 lacs from respondents No.2 to 4 towards full and final settlement of his dues recoverable from them.

The petitioner-complainant, who has been identified by his counsel and is stated to be present in Court, admits the receipt of Rs.2 lacs from respondents No.2 to 4.

After hearing learned counsel for the parties and having regard to the compromise arrived at between the complainant and the accused party and also keeping in view the fact that continuation of criminal proceedings would be nothing but an exercise in futility and abuse of process of law, I am of the considered view that it is a fit case to invoke powers under Section 482 Cr.P.C. and to quash the impugned proceedings.

Consequently, this petition is allowed. The impugned FIR No.112 dated 29.3.2006, under Section 406,420 IPC, registered at P.S. Jagraon, District Ludhiana, and all the proceedings arising therefrom are hereby quashed.

(SURYA KANT)
JUDGE

January 30 ,2007.
Reema